

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STACEY WOLKING and DARYL	:	
WOLKING, H/W	:	Civil No. 3:23-cv-00806-JFS
	:	
Plaintiffs	:	
	:	
v.	:	JURY TRIAL DEMANDED
	:	
HENRY LINDNER, M.D. and	:	
YOUNGS APOTHECARY, INC., d/b/a	:	
Tunkhannock Compounding Center	:	
	:	
Defendants	:	

**PLAINTIFFS’ MOTION *IN LIMINE* TO PRECLUDE
ARGUMENT AND OTHER EVIDENCE OF LINDNER SETTLEMENT**

Plaintiffs, Stacey and Daryl Wolking, by and through their undersigned counsel, respectfully submit this brief in support of their motion *in limine* to preclude Defendant from arguing or presenting any evidence concerning a co-defendant’s settlement.

1. This case involves the decisions of two TCC pharmacists – Brian Bryk and Courtney Young – to dispense massive quantities of prednisone and dexamethasone to Plaintiff Stacey Wolking (“Ms. Wolking”), which perforated her bowel, nearly caused her death, and inflicted the tremendous pain and suffering alleged in the Complaint.

2. The drugs at issue were prescribed by Dr. Henry Lindner, who was also a defendant in this case. Lindner settled with Plaintiffs in 2024. It is possible that he will be a witness at trial, and/or that the parties will make use of his videorecorded deposition.

3. The Court should instruct TCC that its counsel are not permitted to offer any evidence or argument concerning the fact that Lindner settled with Plaintiffs, and should give the jury the following instruction:

Any dispute between the Wolkings and Dr. Henry Lindner is not a part of this trial. You should not concern yourself with this dispute, but should consider only the issues between the Wolkings and Youngs Apothecary in accordance with my instructions and the evidence in the case.

3 Fed. Jury Prac. & Instr. § 103:15 (7th ed.).

Respectfully submitted,

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